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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

MARK H. and RIE H., Individually and as Guardians Ad Litem of MICHELLE H. and NATALIE H., minors,
 	
             Plaintiffs,
   vs.
 	
PATRICIA HAMAMOTO, in her official capacity as Superintendent of the Hawaii Department of Education; DEPARTMENT OF EDUCATION, STATE OF HAWAII,
 	
             Defendants.
	CIVIL NO. CV 00-00282 MLR/LEK (Other Civil Action)
	
	PLAINTIFFS' MOTION TO CONTINUE DEFENDANTS' MOTION TO PRECLUDE THE TESTIMONY OF BARBARA BATEMAN; DECLARATION OF STANLEY E. LEVIN; EXHIBITS "A" -- "C" AND CERTIFICATE OF SERVICE
	
	HEARING: September 11, 2008
	TIME: 10:00 a.m.
	JUDGE: MANUEL L. REAL
	TRIAL: March 16, 2009

**PLAINTIFFS' MOTION TO CONTINUE DEFENDANTS' MOTION
TO PRECLUDE THE TESTIMONY OF BARBARA BATEMAN**

Plaintiffs, above-named, hereby move this Court to continue the hearing set for September 11, 2008 at 10:00 a.m. on Defendants' Motion to Preclude the Testimony of Barbara Bateman. The grounds for this motion are that the lead attorney, Michael Livingston, has suffered severe complications over a serious leg injury he had earlier this year. In any event, Mr. Livingston will not physically be in Hawaii on the date of the scheduled hearing. Attorney Stanley E. Levin cannot argue the motions as he suffers from Parkinson's disease. Plaintiffs need to move the hearing until mid-October.

This motion is authorized by Rule 7 of the Federal Rules of Civil Procedure and the declaration attached hereto.

DATED: Honolulu, Hawaii, August 28, 2008.

/S/ STANLEY E. LEVIN

_____
STANLEY E. LEVIN
MICHAEL K. LIVINGSTON
ANNE L. WILLIAMS
Attorneys for Plaintiffs